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# Security Council

Sixty-eighth year

*Provisional*

**6970**th meeting
Wednesday, 29 May 2013, 10 a.m.
New York

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| *President:* | Mr. Menan | (Togo) |
| *Members:* | Argentina | Ms. Millicay |
| | Australia | Ms. King |
| | Azerbaijan | Mr. Mehdiyev |
| | China | Mr. Li Baodong |
| | France | Mr. Briens |
| | Guatemala | Mr. Rosenthal |
| | Luxembourg | Ms. Lucas |
| | Morocco | Mr. Bouchaara |
| | Pakistan | Mr. Tarar |
| | Republic of Korea | Mr. Sul Kyung-hoon |
| | Russian Federation | Mr. Pankin |
| | Rwanda | Mr. Nduhungirehe |
| | United Kingdom of Great Britain and Northern Ireland | Mr. Parham |
| | United States of America | Ms. Rice |

**Agenda**

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the situation in Abyei (S/2013/294)

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*The meeting was called to order at 10.10 a.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**Reports of the Secretary-General on the Sudan**

**Report of the Secretary-General on the situation in Abyei (S/2013/294)**

**The President** (*spoke in French*): Under rule 37 of the Council's provisional rules of procedure, I invite the representatives of South Sudan and the Sudan to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2013/318, which contains the text of a draft resolution submitted by the Republic of Korea, Rwanda, Togo, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I wish to draw the attention of Council members to document S/2013/294, which contains the report of the Secretary-General on the situation in Abyei.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

*A vote was taken by show of hands.*

*In favour:*

Argentina, Azerbaijan, Australia, China, France, Guatemala, Luxembourg, Morocco, Pakistan, Republic of Korea, Russian Federation, Rwanda, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

**The President** (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2104 (2013).

I now give the floor to the representative of South Sudan.

**Mr. Khoc** (South Sudan): I thank you very much, Mr. President, for inviting me to participate in this meeting. Given that this is the first time that my delegation is addressing the Security Council during your presidency, let me begin by congratulating you on your successful leadership and extending my best wishes to you as you conclude your work in the coming days. In the same vein, I reiterate South Sudan's commitment to cooperating with the Security Council.

The Republic of South Sudan reiterates its appreciation to the Security Council and the Secretary-General for their continued attention to the issue of Abyei. South Sudan also expresses its deep appreciation to the United Nations Interim Security Force for Abyei (UNISFA) for its unwavering commitment to protecting civilians and to the Government of Ethiopia for its troops' contribution to that important Mission, which supports peace and security in our region. These complementary efforts, including the invaluable contributions of the African Union through its High-level Implementation Panel, provide momentum for a resolution of the final status of Abyei, which is an essential ingredient of lasting peace between the two neighbouring States.

South Sudan welcomes the increase in UNISFA's troop ceiling to allow more troops to be deployed to support the Joint Border Verification and Monitoring Mechanism, which is being implemented by the Sudan and South Sudan and which will greatly support stability in the border areas between the two States.

I recall that in May 2012 the Council stipulated that the parties must, under threat of sanctions, reach a final agreement on all outstanding issues, including the final status of Abyei, within three months. Regrettably, that deadline was not respected. Nonetheless, the African Union High-level Implementation Panel submitted a proposal on the final status of Abyei, on 21 September 2012, which was characterized by the African Heads of State and Government, in January, as a fair, equitable and workable solution to the dispute. In my Government's view, it stands as the only viable solution for lasting peace, as it takes into consideration the historical context in Abyei, while adequately reflecting the challenges of implementing a referendum, which was, of course, agreed by the parties in the Comprehensive Peace Agreement of 2005. We regret that the Sudan continues to reject the proposal of the African Union High-level Implementation Panel, despite its being a proposal that both Heads of State had mandated the Panel to develop.

As highlighted in the Secretary-General's latest report on the situation in Abyei (S/2013/294), there have been reports of armed Misseriya attacking the Ngok Dinka of Abyei, killing people, looting cattle and burning villages. To that end, the Government of South

Sudan commends the Security Council for reviewing and re-emphasizing that the protection of civilians mandate has broader implications in the case of Abyei, given the historical context of conflict between the Sudan and South Sudan. We join the Security Council in commending the efforts of UNISFA in its ongoing facilitation of the peaceful migration of the Misseriya through Abyei.

The unfortunate assassination of the Ngok Dinka Paramount Chief, Mr. Deng Kuol Deng, and the killing of a UNISFA peacekeeper on 4 May have brought much grief to the Ngok Dinka and the Ethiopian people. We welcome the Republic of the Sudan's commitment to a transparent, comprehensive and just investigation to hold all those involved in that incident to account. There must be justice and those responsible must be punished. However, given the historical challenges between the Sudan and South Sudan, we call for an international investigation to ensure the credibility and transparency of that process. That unfortunate incident is viewed neither by the Ngok Dinka nor the Government of South Sudan in isolation, but as the culmination of a trend that must be stopped. It is hoped that this tragedy will provide the necessary impetus for the parties to end the territorial dispute through the agreed mechanisms.

I note that my Government has called for peace and calm among the Ngok Dinka in Abyei during this difficult time. The skirmishes that took place are a reflection of the frustration that the Ngok Dinka are experiencing over the status of their homeland. To that end, the Government of South Sudan commits to redoubling its efforts to ensure that an Abyei administration and police service are constituted. We further welcome the continued call of the Council that the 20 June 2011 Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area (S/2011/384, annex) and the decision of the Abyei Joint Oversight Committee of 3 May be implemented to ensure that Abyei is a weapon-free area and the demand that Sudan withdraw its oil police from Diffra. We see those efforts as necessary to the establishment of an environment conducive to the impending Abyei referendum.

The Government of South Sudan reiterates nonetheless that establishing temporary institutions in Abyei will not create lasting peace and that their establishment cannot be viewed as an end in itself. The Sudan must also not be allowed to continue moving the goalposts by changing the criteria for how the temporary institutions are to be established. It must also be prohibited from creating further facts and situations on the ground by resettling and arming the Misseriya to the north of Abyei. If the referendum ultimately results in Abyei becoming part of South Sudan, the Misseriya will be welcome to graze and water their cattle in Abyei and beyond, as they have done for many generations, provided that they come in peace and unarmed.

The Government of South Sudan has shown support and appreciation to UNISFA through its assistance in making Gok Machar the UNISFA base on its territory. The Government will do its utmost to continue to support UNISFA's important work.

Last but not least, South Sudan further recommits itself to the promotion of peace and stability across our region. We reiterate our appreciation to the Security Council for renewing the UNISFA mandate and wish the Mission fruitful engagement as it works to consolidate peace and stability in Abyei.

**The President**: I now give the floor to the representative of the Sudan.

**Mr. Osman** (Sudan) (*spoke in Arabic*): I would like to thank you, Sir, for giving me this opportunity to address the Security Council on the occasion of the renewal of the mandate of the United Nations Interim Security Force for Abyei (UNISFA).

As Council members know well, the Comprehensive Peace Agreement between the Sudan and the Sudan People's Liberation Movement (SPLM), as it was at the time, which later went on to form the Republic of South Sudan, addressed the question of Abyei through the Abyei Protocol. All members know that the Protocol stipulates clearly and frankly that Abyei still constitutes an integral part of the territory of the Sudan and that its residents are Sudanese citizens. There are two groups in the Area, the Ngok Dinka and the Misseriya, whose members are Sudaenese citizens. We have a keen interest in their safety. Until an agreement on the final status of Abyei is concluded, the two groups remain Sudanese and we will treat both of them equally as such. We do not differentiate between them and remain responsible for their protection until a final status is decided upon.

I welcome the Council's agreement to extend the mandate of UNISFA for another six months. I also welcome the increase in UNISFA troops by 1,126 to

enable the Force to monitor the Safe Demilitarized Border Zone that has been established. We hope that UNISFA will monitor it and prevent the infiltration of any rebel elements from South Sudan and the channelling or transfer of any arms from the South. Such an incident took place one month ago and there remain a great many doubts with regard to the infiltration of such elements and weaponry from the South.

In the light of that, given our keen interest in maintaining excellent and amicable relations with South Sudan, our Minister for Foreign Affairs and the head of the security services were dispatched to convey to the Government of South Sudan our numerous concerns regarding the continued infiltration of rebels into Southern Kordofan from South Sudan.

We hope consultations will continue between our two States on that matter so that we may find solutions to all of those concerns.

With regard to the incident in Abyei that led to the assassination of the Chief of the Ngok Dinka, as well as a number of members of the Misseriya tribe, we have condemned that incident and insisted that it be investigated and the perpetrators tried.

Agreements made between States must in general be respected. When that is not the case and one party fails to respect an agreement, the other party is entitled to reconsider and review that agreement, in accordance with the commitment shown by the first party. We would like to send a clear message in that regard. Given our keenness to complete the normalization of our relations with South Sudan in a manner that serves the interests of our peoples, we would like to state that the State of South Sudan has to respect the agreements it signed, in particular with regard to security measures to prevent the sheltering, furthering or assisting of rebels through any channel. If those commitments are not respected, the Sudan is entitled to review the pertinent agreements accordingly. However, I would like to emphasize our resolve, desire and determination to maintain excellent bilateral relations with South Sudan.

With regard to the final status of Abyei, all members of the Council are well aware that the Abyei Protocol was signed by both parties, leading to the enactment of the law on the referendum on Abyei. No party can nullify that law. It was the SPLM that participated in reaching that agreement at the time. The SPLM was represented in the Sudanese Parliament before the secession of South Sudan. That law must be respected. Any subsequent procedure or proposal adopted by the high-level mechanism that may run counter to that law or the agreements concluded between the two parties would be illogical and unacceptable.

Lastly, the Sudan will continue to cooperate with the Council to seek acceptable and satisfactory solutions conducive to the achievement of peace and security in the Sudan, between the Sudan and South Sudan and in the entire region.

In conclusion, I welcome the resolution just adopted, which, like previous resolutions, reiterates that the territorial boundaries of States shall not be altered by force, and that any territorial disputes shall be settled exclusively by peaceful means. We commend the resolution's emphasis on that point. I reiterate that there are well-known mechanisms in international law for resolving territorial disputes between States. The Security Council must rise above the work of tribunals, as it is not a tribunal. There are well-known international legal processes that could help to settle the final status of Abyei in a manner that ensures peace and safety in the region. This is the main responsibility of the Security Council.

**The President** (*spoke in French*): There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 10.35 a.m.*